

**STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES**

Before the Commissioner of the Office of Financial and Insurance Services

In the matter of:

Gentry Group

Enforcement Case No. 04-2681

Order No. 04-067-L

Respondent

**To: Gentry Group
25 Highland Blvd.
Suite 100
PMB 223
Dallas, TX 75205-9935**

*Issued and entered
On November 3, 2004
by Linda A. Watters
Commissioner*

ORDER TO CEASE AND DESIST

**I.
Background**

The Office of Financial and Insurance Services asserts the following is correct:

1. Section 1201a of the Michigan Insurance Code (Code), MCL 500.1201a, provides that, "A person shall not sell, solicit, or negotiate insurance in this state for any line of insurance unless the person is licensed for that qualification in accordance with this chapter.
2. Section 114 of the Code states that "person" as used in this code includes an individual, insurer, company, association, organization, Lloyds, society, reciprocal or inter-insurance exchange, partnership, syndicate, business trust, corporation, and any other legal entity.

3. Gentry Group is a company based in Dallas, Texas, whose President and CEO is Michael Paul McIntyre. McIntyre holds a Texas Insurance License.
4. Gentry Group has not applied for or received a license to transact the business of insurance in the State of Michigan.
5. In the State of Michigan, Gentry Group, through its agent Samuel Brooks, solicited and sold to xx a \$200,000 12-year variable annuity underwritten by American Equity Investment Life Insurance Company.
6. In 2003 in the State of Michigan, the Gentry Group, through various agents, solicited the sale of insurance products to over one hundred citizens. A list of the citizens solicited by Gentry agents is attached hereto and marked "Attachment A."
7. On July 20, 2004, the State of California, Department of Corporations issued a Desist And Refrain Order against, among others, Gentry Group directing it to desist and refrain from advising people to sell securities in order to buy American Equity Life Insurance Company annuities until Gentry Group has secured a certificate authorizing it to conduct business as an investment adviser in California.
8. In the Desist and Refrain Order, the California Corporations Commissioner found that: "Gentry Group is a 'living trust mill.' It solicits seniors by purporting to offer them free advice about living trusts, when in fact it is engaged in the offer and sale of annuities."

Therefore, pursuant to MCL 500.251, it is **ORDERED** that:

1. You immediately **CEASE** and **DESIST** from transacting the business of insurance in Michigan without licensure, and within 10 days of service of this order, you shall acknowledge this order in writing to the commissioner and shall confirm that you have ceased transacting insurance in this state.
2. Failure to comply with this order will subject you to one or more of the following:
 - (a) payment of a civil fine of not more than \$1,000.00 for each violation not to exceed an aggregate civil fine of \$30,000.00. However, for further knowing violations of this order, a civil fine of not more than \$25,000.00 for each violation not to exceed an aggregate civil fine of \$250,000.00 may be assessed.

- (b) complete restitution to all persons in this state damaged by the violation or failure to comply.
3. You may contest this order by requesting a hearing before the commissioner not later than 30 days after the order has been delivered or mailed to you.

Linda A. Watters
Commissioner